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HEAD ERS

STANCE COMMAND, VIETNAM UNITED STATES MILITARY MANDER APO SA

MACCORDS

MUMORANDUM FUR: Ambassador Robert W. Komer Payaty to COMUSMACV for CORDS

: Legal Appects of Corruption

REALIMENCES: A. Memorardim, 7 June 1968, same subject

Memorandum for the Record, 26 June 1968: Letter from Rich Glang Judge

Memorandum for the Record, 29 June 1968: Anti-Corruption Agencies - Malaysia and Singapore

- 1. References A and B, attached hereto, set forth the opinions of Judge Nguyen Truong Chanh on the nature and extent of official corruption and how the government should deal with it. My comments on the legal aspects of his presentation are also included.
- 2. It appears, based on investigation to date, that the Special Court and the Military Field Courts must continue to try corruption cases for the foreseeable future. Eventually a law is to be passed, pursuant to Article 91(2) of the new Constitution, setting up the Inspectorage, which will replace the current Office of Inspection. When the Inspectorate becomes a well staff and effective organization operating throughout the country, it may be able to put enough impetus behind the anti-corruption drive so that the civilian courts (by the hopefully organized and integrated in accordance with legislation and yet introduced) will be able to take over the full judicial burden.
- 3. The foregoing legislative and organizational effort will no count be long drawn out. In the meantime, corruption must be commate using existing instrumentalities. It may well be possible, however nerease the role of civilian investigative and legal person to existing system, and to expand anti-corruption activities outside seigon and the Regional Capitals, thus taking action on two of Judge Chanh's major proposals!
- 4. Two competing bills, to control corruption, are being proy members of the Anti-Corruption Committee, of the Lower House.

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will follow these a d other developments and report significant Sindlags or recomme dations.

5. Fr. Clen L. Ziegler, NLD, Kien Giang, who handles the listings with Judge Chaob, has been requested to thank the Judge for is ream and un and advise him that the matter is under active musideration at a high level.

Legal Counsel

Attachments:

References A, B, and C

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